



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 25 2014

OFFICE OF THE
SCIENCE ADVISOR

(b) (6)

Dear (b) (6):

Thank you very much for providing suggestions to improve the *EPA's Conflict of Interest Review Process for Contractor-Managed Peer Reviews of HISA and ISI Documents*. Further strengthening the Agency's peer review processes continues to be a high priority for me and for the EPA's senior leadership in general. As we strive to increase public participation and transparency, we value thoughtful comments and suggestions.

As I think you know, the EPA has a Peer Review Advisory Group (PRAG), an intragency group that assists in the implementation of the Agency's Peer Review Policy. I have requested that the PRAG review your suggestions to determine if new implementation guidance and training are needed to improve the EPA's contractor managed peer review process.

Regarding your specific suggestion to require potential peer reviewers to provide full upfront disclosure of financial information to contractors to strengthen their conflict of interest (COI) assessments, the EPA realizes the importance of thorough assessments of COI to the integrity of the peer review process. As noted during the November 8, 2013 conference call you had with (b) (6) the Confidential Financial Disclosure Form for EPA Special Government Employees (EPA Form 3110-48) cannot be used to collect information from non-Federal employees. The forms currently used by our contractors (such as the ones you brought to our attention in your letter) are not intended to be the only source of information about the potential peer review panelists. The information provided via these forms is to be used in conjunction with other sources of information, and with public input, to facilitate an informed determination about whether the individual has either a COI or lack of impartiality. Our current system is still new and we reserve judgment on whether additional information might be necessary until it is fully implemented.

You also suggested that contractors conduct internet and database searches for potential peer reviewer COI and provide written responses to public comments received regarding potential peer reviewers. These searches are being done to the extent possible. The Conflicts of Interest Review Process for Contractor-Managed Peer Reviews of EPA HISA and ISI Documents memo, dated June 28, 2013, states in paragraph 3 that "The Contractor will supplement the information obtained from the candidates by Internet searches and other appropriate methods." As we more fully implement the COI Process, I will be able to assess whether additional measures are needed. In addition, as new peer review contracts are established, the EPA will consider the cost and utility of requiring contractors to perform additional, more exhaustive internet searches for COI issues.

With regard to contractors providing a certified assessment of appearance of a lack of impartiality of peer reviewer candidates, the EPA has already modified all of its applicable peer review contracts to require that the contractor certify that they have evaluated each candidate and that they have found no significant evidence to support a finding of an actual or potential conflict of interest or an appearance of a lack of impartiality. The EPA will continue to work to ensure that any new contracts that address peer review include this certification requirement and monitor contractors to confirm that this requirement is being met.

Public comments on potential peer reviewers are an important mechanism for the contractor to obtain input on proposed panelists. During consultation, we will advise the project lead and the Contracting Officer that the contractor's records should document how any public comments were addressed.

In summary, I greatly appreciate the thoughtful suggestions you have provided to improve the assessment of peer reviewer COI issues for HISA and ISI documents. As we continue to implement this process, we will also monitor it to see if there are additional areas where the contractor managed peer review process and the EPA's oversight can be improved.

Sincerely,

(b) (6)